

ALASKA STATE RIGHT-OF-WAY APPLICATION

Table 9
Permit List

Project Phase	Permit or Approval	Law, Regulation or Other Requirement	Authority	Agency	Remarks	Project Relevance	Topic	Obtained?	Relevant Section in Application
1 (Field Survey)	Temporary Use Permit	Mineral Leasing Act Section 28 (e), 30 USC Section 185 (e) 43 CFR 2881	Federal	Office of Federal Inspector	For access to right-of-way (ROW). BLM ROW Grant expressly provides for issuance of temporary use permits. May contain site-specific terms and conditions under Stipulation 1.7.1 of the Grant.	All federal lands associated with Project	Land Use	No	n/a
1 (Field Survey)	Antiquities/Archaeological Survey Clearance	AS 41.35	State	Alaska Department of Natural Resources State Historic Preservation Office	Authorization to conduct archaeological surveys. Typically obtained by archaeological contractor.	All lands associated with Project	Land Use	No	ENVIS03
1 (Field Survey)	Land Use Permit Temporary Land Use Miscellaneous Land Use	AS 38.05.850 11 AAC 96 11 AAC 58.210	State	Alaska Department of Natural Resources	For access to ROW. Includes Tundra Travel Permits and other special use permits.	All state lands associated with Project	Land Use	No	n/a
2 (Construction Primary)	Certificate of Public Convenience and Necessity/ Initial Rate Authorization	15 USC 717 18 CFR part 157	Federal	Federal Energy Regulatory Commission	Final certificate authorizing construction and approving initial rates required	All Project Components	Land Use	Conditional Certificate issued/ final certificate needed	n/a
2 (Construction Primary)	Presidential Permit Pursuant to Section 3 of the Natural Gas Act	15 USC 717b 18 CFR 153.15	Federal	Federal Energy Regulatory Commission	Authorization to construct import/ export facilities at the border. This authorization requirement was not waived by the 1981 Waiver Law	All Project Components	Land Use	Application filed but permit No	n/a
2 (Construction Primary)	ROW Across Native Lands	25 USC Chapter 8, Section 323	Federal	Department of Interior - Bureau of Indian Affairs	Needed if using native allotments, BLM coordinates consultation under the Secretary's Trust Asset Protection Policy.	All Project Components	Land Use	BIA concurrence is required for certain native allotment lands	n/a
2 (Construction Primary)	Federal Right-of-Way Grant and Notice to Proceed (NTP)	30 USC 185; Mineral Leasing Act of 1920 sec 28; 43 CFR 2880, ANNGTC ROW Grant, F-24538; Alaska Natural Gas Transportation Act (ANGTA).	Federal	Bureau of Land Management (Grant); Office of Federal Inspector (NTP)	Application for notice to proceed under section 1.7 of Exhibit A of BLM ROW (stipulations and conditions contained in ROW Grant control substantive requirements). Outstanding compliance issues which will be dealt with by OFI, as set forth in the stipulations attached as Exhibit A to the Grant, e.g., Section 1.6.1 plans.	All Project Components	Land Use	Grant obtained 12/1/80 (Expires 12/1/10); No NTP issued.	n/a
2 (Construction Primary)	Section 404 Wetlands Dredge or Fill Permit; Section 10: Work in Navigable Waters Permit	33 USC 1344 33 CFR 320-330, Rivers and Harbors Act 33 USC 403	Federal	Department of Army - Corps of Engineers (Corps)	General Permit issued for the Project, includes special conditions that establish restrictions on the location, method, and schedule for Project construction activity in wetlands identified as "Category C", corresponding to about 90 percent of all wetlands crossed by the Project.	All Project Components	Water	Obtained (Expires 9/7/07) General Permit for Class C Wetlands	TIS20 ENVIS08
2 (Construction Primary)	Approval of Facilities Constructed at or near the U.S. / Canada border in accordance with Convention Between the United States and Great Britain Relating to the Canadian International Boundary (signed April 11, 1908) (entered into force June 4, 1908).	35 Stat. 2003, TS 297	Federal	International Boundary Commission	Treaty requires maintenance of unobstructed vista along the 20' cleared area extending along the border, preservation of boundary monuments and unimpeded access for inspection and maintenance	All Project Components	Land Use	No	n/a
2 (Construction Primary)	National Pollutant Discharge Elimination System (NPDES) Industrial Storm Water Permit	33 USC 1342 40 CFR 122	Federal	Environmental Protection Agency (EPA)	Coordinated with state wastewater disposal permits	Project construction and facilities	Water	No	ENVIS08
2 (Construction Primary)	NPDES Construction Storm Water Permit	33 USC 1342 40 CFR 122	Federal	Environmental Protection Agency	Surface water runoff from construction. Obtain a Construction General Permit (CGP) for large construction activities.	Project construction and facilities	Water	No	ENVIS04 ENVIS08
2 (Construction Primary)	Temporary Use Permit	Mineral Leasing Act Section 28 (e), 30 USC Section 185 (e) 43 CFR 2881	Federal	Office of Federal Inspector	BLM Grant expressly provides for issuance of temporary use permits. May contain site-specific terms and conditions under Stipulation 1.7.1 of the Grant.	Pipeline and compressor stations, material sites; access roads; communication sites	Land Use	No	n/a
2 (Construction Primary)	Purchase of Mineral Material / Mineral Sales Contract	Minerals Management Act, 30 USC Sections 602, 602, 604 43 CFR part 3600 43 CFR part 3610 43 CFR part 3620 43 CFR part 23 43 CFT part 5400	Federal	Office of Federal Inspector	Contract required for material sites on federal land. Removal of rock, crushed rock or gravel will include a \$/yard fee. (Discussed in Stipulation 2.6 of the BLM Right-of-Way grant)	Construction sites requiring gravel or rock. Pipeline and compressor stations, material sites; access roads; communication sites	Land Use	No	TIS05

ALASKA STATE RIGHT-OF-WAY APPLICATION

Table 9
Permit List

Project Phase	Permit or Approval	Law, Regulation or Other Requirement	Authority	Agency	Remarks	Project Relevance	Topic	Obtained?	Relevant Section in Application
2 (Construction Primary)	Environmental Impact Statement	National Environmental Policy Act 42 USC 4321 et seq., 40 CFR 1502 15 USC 719(h)(c)(3)	Federal	Council on Environmental Quality	Project has NEPA authorization. NEPA Sufficiency Determination made by President's Decision and Report and Congress. Two FEIS's and Supplemental FEIS issued.	Project construction and facilities	EIS	Obtained, in compliance phase	n/a
2 (Construction Primary)	Construction Across Highways	Utility Permit AS 19.25 AAC 17 ARC 15.040	Federal	AK Department of Transportation & Public Facilities	Cross highway	Pipeline Construction	Land Use	No	n/a
2 (Construction Primary)	Right-of-Way Lease	AS 38.35 et seq. AS 38.05.075	State	Alaska Department of Natural Resources	For access roads locate on State land	Access roads near compressor stations	Land Use	No	n/a
2 (Construction Primary)	Material Sales Permit	11 AAC 71 AS 38.05.110	State	Alaska Department of Natural Resources	For removal of rock, crushed rock or gravel from State land. Includes a fee (\$/cubic yard).	Construction	Land Use	No	n/a
2 (Construction Primary)	Pipeline Right-of-Way Lease and Notice to Proceed	11 AAC 80 et seq. AS 38.35	State	Alaska Department of Natural Resources	For crossing or constructing on state lands.	Pipeline, pipeline supports compressor stations	Land Use	No	n/a
2 (Construction Primary)	Encroachment Permit; Highway Use Permits	17 AAC 10.010 et seq.	State	Alaska Department of Transportation and Public Facilities	Required if pipeline is located near highways or within highway ROW.	Pipeline Construction	Land Use	No	TIS15
2 (Construction Primary)	Utility Permit on State Right-of-Way	17 AAC 15.011 et seq.	State	Alaska Department of Transportation and Public Facilities	Required if pipeline or utilities are to be located within existing powerline or other utility ROW	Pipeline Construction	Land Use	No	TIS15
2 (Construction Primary)	Wastewater Disposal Permit	18 AAC 72.010	State	Alaska Department of Environmental Conservation	Obtained in coordination with federal EPA National Pollutant Discharge Elimination System (NPDES) permits	Trench dewatering, camps, maintenance facilities	Water	No	ENVIS04
2 (Construction Primary)	Consistency Review of Coastal Project Plans	Alaska Coastal Management Program (ACMP) AS 46.39 AS 46.40 current 11 AAC 150.005 pending 11 AAC 110.010 6 AAC 50 16 USC 1451, 1456	State	Alaska Department of Natural Resources, Office of Project Management and Permitting	Determination of consistency with State ACMP policies.	Project construction and facilities	Land Use, Water	In conjunction with the Corps 404/10 Permit obtained determination on October 26, 1983.	ALL SECTIONS
2 (Construction Primary)	Plan of Operation for Forest Clearing	Alaska Forest Resources and Practices Act AS 41.17.085	State	Alaska Department of Natural Resources Department of Forestry	Forest clearing in State Forest	Construction in Tanana Valley and Salcha State Forests (MP505)	Land Use	No	TIS10
2 (Construction Primary)	Fish Habitat Permit (permit to Construct and Provide for the Efficient Passage of Fish)	AS 41.14.840 Title 41 Permit 11 AAC 195.010	State	Alaska Department of Natural Resources, Office of Project Management and Permitting	For construction of roads, pipeline crossings, and other facilities that could affect fish passage in streams and rivers.	Pipeline crossing of rivers and streams, Bridge construction for pipeline support or other crossing.	Wildlife	No	ENVIS07
2 (Construction Primary)	Fish Habitat Permit (Permit to Conduct Activities Affecting Anadromous Fish Streams)	AS 41.14.870 Title 41 Permit 11 AAC 195.010	State	Alaska Department of Natural Resources, Office of Project Management and Permitting	For construction in streams and rivers; use, diversion or obstructing of or equipment use in streams	Pipeline crossing of rivers and streams, Bridge construction for pipeline support or other crossing.	Wildlife	No	ENVIS07
2 (Construction Primary)	Special Area Permit	AS 16.20 5 AAC 95.420 - 440 5 AAC 95.700 - 760	State	Alaska Department of Fish and Game	Crossing designated areas such as State refuges, sanctuaries and critical habitats (May require extensive environmental studies and/or public reviews.)	If Project facilities cross or utilize regulated lands. (no known at this time)	Land Use	No	n/a
2 (Construction Primary)	Incompatible Use Permits	AS 38.05 AS 41.21.020 11 AAC 18.011	State	Alaska Department of Natural Resources	For construction on State land in designated areas such as state parks or recreation areas	Pipeline Construction	Land Use	No	n/a
2 (Construction Primary)	Right-of-Way	Mental Health Trust Lands AS 38.05.801 11 AAC 99.02	State	AK Mental Health Land Trust Office	Separate from ADNRR Lease.	Project construction and facilities	Land Use	No	n/a
2 (Construction Primary)	Land Use Permits	n/a	State	University of Alaska; Native Corporations	Specific native corporations identified upon pipeline route selection.	All Project Components	Land Use	No	ENVIS03
2 (Construction Primary)	Certificate of Reasonable Assurance (401 Certification) for COE 404 Permits or EPA NPDES Permits	Section 401 (a)(1) of Clean Water Act 18 AAC 15 33 USC 1341	State	Alaska Department of Environmental Conservation	Certification for compliance with State water program. Permitting process is initiated automatically with NPDES or 404 permit submittal.	All Project components	Water	COE 404 permit, September 30, 1983 by Douglas Lowery (ADEC)	ENVIS08
3 (Construction Primary)	Title V Air Quality Permit to Operate	18 AAC 50 AS 46.14	State	Alaska Department of Environmental Conservation	For fugitive and point source emissions during operation. Required if emission exceed criteria, based upon total emissions and incremental changes from current conditions. Preconstruction site meteorological data required to demonstrate compliance in permit application.	Compressor station operation.	Air	No	ENVIS02

ALASKA STATE RIGHT-OF-WAY APPLICATION

Table 9
Permit List

Project Phase	Permit or Approval	Law, Regulation or Other Requirement	Authority	Agency	Remarks	Project Relevance	Topic	Obtained?	Relevant Section in Application
2 (Construction Primary)	Alaska Coastal Management Program	AS 46.40 6 AAC 85	Local	North Slope Borough	Consistency determination. Review applicant's certification of project consistency with state and local (NSB) coastal standards.	Project construction and facilities	Land Use	No	n/a
2 (Construction Primary)	Development Plans; Utilities; Zoning; Land Use Permits; Building; Landfill Use Permits	Borough Ordinances (Including Title 19, Ordinance 75-6-23 amended to Title 19; General Development Permit, Road Plan among others)	Local	North Slope Borough Permitting and Zoning Division	Land and development permits needed at local level.	Project construction and facilities within Borough	Land Use	No	n/a
2 (Construction Primary)	Code of Ordinances: Floodplain Permit and Excavation/Construction Permit for Public Roads.	Fairbanks North Star Borough Code of Ordinances	Local	Fairbanks North Star Borough	Title 8 (Health and Safety) Title 14 (Service Areas, Roads) Title 15 (Buildings and Construction) Title 18 (Zoning)	Project Construction and Facilities	Land Use	No	n/a
2 (Construction Primary)	Zoning and Land Use Permits	Municipality of Delta Junction Municipal Ordinances 72.02 and 83.03	Local	Municipality of Delta Junction	zoning and land use in flood hazard areas permits (municipal code)	Project construction and facilities	Land Use	No	n/a
3 (Construction Secondary)	Notice of Intent to Establish or Change an Airport Landing Area	14 CFR 157	Federal	Federal Aviation Administration	Needed for establishing airport landing areas	Camps	Transportation	No	TIS32
3 (Construction Secondary)	Notice of Proposed Construction Areas or Alteration (Structures interfering with flight paths)	14 CFR 77.13	Federal	Federal Aviation Administration	Reactivation or construction of airstrip or helipads	Camps	Transportation	No	TIS32
3 (Construction Secondary)	Airport Operating Certificate	14 CFR Part 139	Federal	Federal Aviation Administration	May be necessary if airport serves planes having a seating capacity of greater than 30 people.	Camps	Transportation	No	TIS32
3 (Construction Secondary)	RCRA documentation and/or permitting requirements	40 CFR 260 et. seq.	Federal	Environmental Protection Agency	Applicable to certain generation and transport of, and the treatment, storage and disposal of, hazardous waste. May not be applicable depending upon specific wastes generated.	Project construction and facilities	Waste Management	No	ENVIS04
3 (Construction Secondary)	Radio and wire communications permits and licenses	47 USC 151 et. seq. 47 CFR 100 et. seq.	Federal	Federal Communication Commission	Many applications and licensing procedures (including applications for frequencies, etc.) are listed in 47 CFR, each depending upon type of facility built	Operations	Communications	No	TIS33
3 (Construction Secondary)	Bridge Permit	General Bridge Act of 1946 33 CFR parts 114,115 33 USC 525	Federal	Coast Guard	Bridges over navigable waters of the U.S. (temporary and permanent)	Pipeline Bridges	Water	No	ENVIS08
3 (Construction Secondary)	Purchase of Mineral Material / Mineral Sales Contract	Minerals Management Act, 30 USC Sections 602, 602, 604 43 CFR part 3600 43 CFR part 3610 43 CFR part 3620 43 CFR part 23 43 CFT part 5400	Federal	Office of Federal Inspector	Contract required for material sites on federal land. Removal of rock, crushed rock or gravel will include a \$/yard fee. (Discussed in Stipulation 2.6 of the BLM ROW Grant)	Construction sites requiring gravel or rock Pipeline and compressor stations, material sites; access roads; communication sites	Land Use	No	TIS05
3 (Construction Secondary)	Facility Response Plans	Oil Pollution Act 1990 33 USC 1231(j)(5) 40 CFR 112.20	Federal	Coast Guard	Spill response plans required for facilities with petroleum threat to navigable waters of the U.S. Coordinate plan with those required by EPA.	Sites with petroleum near navigable waters (e.g., Yukon River).	Construction	No	ENVIS05
3 (Construction Secondary)	Operation Plan for mining activities including design and reclamation	11 AAC 86.800	State	Alaska Division of Mining, land and water	Gravel Mining	Pipeline Construction	Construction	No	TIS05
3 (Construction Secondary)	Temporary Water Use Permit (TVUP)	11 AAC 93.210 and 11 AAC 93.220	State	Alaska Division of Mining, Land and Water	Consumptive water use	Ice roads, camps	Water	No	TIS32
3 (Construction Secondary)	Burning Permit	11 AAC 95.400 - .490 18 AAC 50	State	Alaska Department of Natural Resources	Burning of clearing slash.	Construction (clearing)	Construction	No	TIS10
3 (Construction Secondary)	Traffic Operations Permit	13 AAC 02 et seq.	State	Alaska Department of Transportation and Public Facilities	Detours and road closures	Pipeline Construction	Transportation	No	SSIS02
3 (Construction Secondary)	Airport Building Permit	17 AAC 42.280	State	Department of Transportation and Public Facilities	Each airfield will require a permit	Camps	Construction	No	TIS32
3 (Construction Secondary)	Open Burning Permit	18 AAC 15.020 18 AAC 50.065	State	Alaska Department of Environmental Conservation	Burning of clearing slash.	Construction (clearing)	Construction	No	TIS10
3 (Construction Secondary)	Plan Review and Pre-Operation Inspection	18 AAC 42.280	State	Alaska Department of Environmental Conservation	Individual approvals will be obtained for construction camp support facilities. (food facility only)	Camps	Construction	No	SSIS02
3 (Construction Secondary)	Non-Domestic Wastewater System Plan Review	18 AAC 72.600	State	Alaska Department of Environmental Conservation	Individual approvals will be obtained for construction camp sewage systems.	Camps	Construction	No	ENVIS04

ALASKA STATE RIGHT-OF-WAY APPLICATION

Table 9
Permit List

Project Phase	Permit or Approval	Law, Regulation or Other Requirement	Authority	Agency	Remarks	Project Relevance	Topic	Obtained?	Relevant Section in Application
3 (Construction Secondary)	Public Water System Review and Approval Requirements	18 AAC 80.200	State	Alaska Department of Environmental Conservation	Individual approvals will be obtained for construction camp water systems.	Camps	Construction	No	ENVIS05
3 (Construction Secondary)	Construction Air Quality Permits	42 USC 7401 et seq. 18 AAC 50 AS 46.14	State	Alaska Department of Environmental Conservation	May be required for construction activity.	Construction	Air	No	ENVIS02
3 (Construction Secondary)	Airport Lease	AS 02.15 17 AAC 40	State	Alaska Department of Transportation and Public Facilities	State-operated airports.	Camps	Transportation	No	TIS32
3 (Construction Secondary)	Food Service Permit	AS 03.05.011 and .020 AS 44.46.020	State	Alaska Department of Environmental Conservation	Required when food service is provided during construction or operation.	Camps	Construction	No	SSIS02
3 (Construction Secondary)	Construction Contractor License	AS 08.18.011 - .171 12 AAC 21	State	Alaska Department of Revenue	Required for all contractors and subcontractors working on Project	Project construction and facilities	Construction	No	SSIS02
3 (Construction Secondary)	State Fire Marshall Permit	AS 18.70.080 13 AAC 50.027	State	State Fire Marshall	Review of plans and inspection of occupied facilities	Camps and other facilities	Construction	No	n/a
3 (Construction Secondary)	Highway Pass	AS 19.05.020 AS 19.40.100 and .110 17 AAC 30.010-.070	State	Alaska Department of Transportation and Public Facilities	Permit application available from ADOT Fairbanks	Project construction and facilities	Land Use	No	SSIS02
3 (Construction Secondary)	Driveway Permit	AS 19.05.20 17 AAC 10.020	State	Alaska Department of Transportation and Public Facilities	Needed if construction access roads intersect a state highway	Pipeline Construction	Land Use	No	TIS15
3 (Construction Secondary)	Permit for Oversize/Overweight Vehicles	AS 44.33.020; 03 AAC 35.120	State	Alaska Department of Transportation and Public Facilities	Permit application available from ADOT Fairbanks	Pipeline Construction	Transportation	No	SSIS02
3 (Construction Secondary)	Policy for Handling Contaminated Soils During Pipeline Trenching Operations	Department Policy	State	Alaska Department of Environmental Conservation	When contaminated soil is encountered and operator is not the source, may replace back on site. May not use fill that will increase migration of contamination (ie gravel). Patterned after EPA Region V policy for hazardous waste sites.	Trenching	Construction	No	ENVIS08
4 (Construction Secondary)	Water Rights Permit / Certification of Water Appropriation	11 AAC 93.040 - .130, 93.210 - .220	State	Alaska Department of Natural Resources	For withdrawal of water from surface water bodies Camps and Other Temporary Uses	Applicable at facilities where water is needed (potable or process).	Water	No	ENVIS08
4 (Operation)	Waiver of FAA Regulations	14 CFR 91.63	Federal	Federal Aviation Administration	For pipeline patrolling	Operation of the Pipeline	Transportation	No	n/a
4 (Operation)	RCRA documentation and/ or permitting requirements	40 CFR 260 et. seq.	Federal	Environmental Protection Agency	Applicable to certain generation and transport of, and the treatment, storage and disposal of, hazardous waste. May not be applicable depending upon specific wastes generated.	Compressor stations; maintenance facilities	Waste Management	No	ENVIS04
4 (Operation)	Spill Prevention Countermeasures and Contingency Plan (C-Plan) Facility Response Plans	Oil Pollution Act 1990	Federal	Environmental Protection Agency	Spill response plans required for facilities with petroleum storage above threshold volumes.	Sites with greater than 1320 gallons storage or single tank of 660 gallons near navigable waters (e.g. staging areas, camps)	Construction	No	ENVIS05
4 (Operation)	Water Rights Permit / Certification of Water Appropriation	11 AAC 93.040 - .130, 93.210 - .220	State	Alaska Department of Natural Resources	For withdrawal of water from surface water bodies Permanent Operations	Applicable at facilities where water is needed (potable or process).	Water	No	ENVIS08
4 (Operation)	Wastewater Disposal Permit	18 AAC 72.010	State	Alaska Department of Environmental Conservation	For disposal of wastewater from facilities	Maintenance facilities	Water	No	ENVIS04
4 (Operation)	State Fire Marshall Permit	AS 18.70.080 13 AAC 50.027	State	State Fire Marshall	Review of plans and inspection of occupied facilities	Compressor stations; maintenance facilities	Safety	No	n/a